IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 20TH NOVEMBER 2006 / 29TH KARTHIKA 1928

WP(C).No. 27974 of 2006(E)

PETITIONER:

SMT.INDIRA DEVI,
39/1238, MUKKADAYIL HOME,
T.A.BEERAN KUNJ ROAD,
COCHIN-682018.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENTS:

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1. STATE OF KERALA,
REP. BY THE SECRETARY,
DEPARTMENT OF FISHERIES, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM-695 001.

2. THE DEPUTY DIRECTOR,
ZONAL OFFICE, FISHERIES.

3. THE SUB INSPECTOR OF FISHERIES
(BACKWATER), NARAKKAL.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD
GOVERNMENT PLEADER SMT.N.SUDHA DEVI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

Ext.P1: True copy of Sale Deed No.1910/05 dated 28-6-2005 of SRO, Narakkal.

Ext.P2: True copy of representation dated 29-8-2006 submitted by the petitioner before the Secretary, Elankunnapuzha Grama Panchayat.

Ext.P3:True copy of complaint dated 27-8-2006 submitted by the petitioner before the Sub Inspector of Police, Narakkal Police Station.

Ext.P4: True copy of complaint dated 29-8-2006 submitted by the petitioner before the Zonal Fisheries Deputy Director, Ernakulam.

Ext.P5: True copy of notice dated 1-9-2006 issued by the Sub Inspector of Fisheries (Backwater) Narakkal, to Parameswaran, Karuthedam Desom, Elankunnapuzha.

Ext.P6: True copies of photographs showing the lie of the fishing net.

// True copy //

P.A. to Judge

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C.N.RAMACHANDRAN NAIR, J.

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W.P.(C)NO.27974 OF 2006

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Dated this the 20th day of November 2006

JUDGMENT

Petitioner's grievance is that Chinese fishing net is installed in front of petitioner's property without any permission or approval. Petitioner has sought for a direction to the second respondent to initiate further action pursuant to Ext.P5 notice and to remove the fishing net erected illegally in front of the petitioner's property.

2. Writ petition is disposed of with a direction to the second respondent to take appropriate action and enforce the same after hearing the objection of the person who installed the chinese fishing net. Petitioner shall produce copy of judgment for compliance. Second respondent is directed to take final action within a period of one month from the date of production of a copy of the judgment. It is open to the second respondent to order relocation of chinese fishing net without violating any norms. Petitioner will also be heard in the matter.

Writ petition is disposed of as above.

C.N.RAMACHANDRAN NAIR, JUDGE

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